

CLAYTON COUNTY WATER AUTHORITY

Regular Board Meeting
1600 Battle Creek Road
Morrow, Georgia 30260
November 5, 2015

Present at the meeting were: Chairman John Chafin, Vice Chairman Rodney Givens, Secretary/Treasurer John Westervelt, Board Member Marie Barber, Board Member Elizabeth G. Armstrong, Board Member Dr. Cephus Jackson, General Manager Mike Thomas, Assistant General Manager Bernard Franks, Legal Counsel Steve Fincher, Executive Coordinator Amanda LaPierre, and other CCWA staff and visitors.

Chairman John Chafin called the meeting to order at 1:30 p.m.

Invocation

John Westervelt introduced Joshua Wood to give the invocation.

Adoption of Agenda

UPON MOTION by Marie Barber and second by John Westervelt, to adopt the amended agenda to add item H "SLBE Program Update and Recommendation" under New Business, it was unanimously

RESOLVED to approve the amended agenda as proposed.

Approval of Minutes

Chairman John Chafin called for any omissions or additions to the minutes of the Called Board Meeting of September 27, 2015 and the Regular Board Meeting of October 1, 2015.

UPON MOTION by Dr. Cephus Jackson and second by Elizabeth G. Armstrong, it was unanimously

RESOLVED to approve the Called Board Meeting Minutes of September 27, 2015 and the Regular Board Meeting Minutes of October 1, 2015.

Financial and Statistical Reports

Finance Director Allison Halron reviewed the financial information distributed to the Board for the period ending September 30, 2015.

New Business

Rum Creek Lift Station Upgrade Construction Bid Recommendation: General Services Department Manager Marshall Maddox presented a recommendation on awarding the bid for the Rum Creek Lift Station Upgrade Construction to Heavy Constructors and for approval of Jacobs Engineering Group, Inc. Task Order JA-RE-15-06 for services during construction.

Sealed Bids for this construction project were opened October 13th. This bid had a 15% SLBE goal. The following is a summary of the bid results and corresponding reported SLBE participation projection by each bidder:

BIDDER	TOTAL BID	SLBE %
Heavy Constructors, Inc.	\$1,806,990.77	22.6%
Haren Construction Company	\$2,062,000.00	0.13%
P.F. Moon & Company, Inc.	\$1,869,740.00	0.2%

Recommendation:

- Staff recommended awarding the bid to Heavy Constructors for the total bid amount of \$1,806,990.77. This award is contingent upon the bidder meeting risk management and bond requirement along with authorizing the General Manager to execute the contract.
- Staff also recommended to approve and allow the General Manager to sign Task Order JA-RE-15-06 to Jacobs Engineering Group, Inc. for providing Professional Engineering Services on a time and expense basis with a maximum not to exceed amount of \$337,626.00 and approval for a budget revision of \$118,000.00 from contingency funds.

UPON MOTION by Marie Barber and second by Dr. Cephus Jackson, it was unanimously

RESOLVED to approve staff recommendation to award the bid to Heavy Constructors for the total bid amount of \$1,806,990.77 along with approval of Jacobs Engineering Group, Inc. Task Order JA-RE-15-06 in the amount of \$337,626.00 and a budget revision from contingency funds for \$118,000.00.

Ft. Gillem Redevelopment Water & Sewer Project Summary: Distribution and Conveyance Department Manager Jeff Jones presented a summary of the Ft. Gillem Redevelopment Water & Sewer Project. Information only. No action taken.

Mobile CCTV System Recommendation: Distribution and Conveyance Department Manager Jeff Jones presented a recommendation on the purchase of a new ROVVER X Inspection Crawler.

This particular model can be purchased under the State of Georgia contract. CCWA researched and obtained comparative pricing for the other viable equipment as shown below.

Vendor	Cost	Make/Model
Environmental Products of Georgia Atlanta, GA	\$70,325.00	ROVVER X Inspection Crawler
IBAK North America Warrenton, GA	\$71,372.71	Rapid View
CUES Orlando, FL	\$84,425.00	K2 Portable CCTV System

Recommendation: Staff recommended purchasing one new ROVVER X Inspection Crawler from Environmental Products of Georgia under State Contract # 99999-001-SPD0000102-0010 at a cost of \$70,325.00. Funding for this purchase was approved in the FY 2015 Capital Budget. The total amount budgeted was \$75,000.00, which is \$4,675.00 under budget.

UPON MOTION by Dr. Cephus Jackson and second by John Westervelt, it was unanimously

RESOLVED to approve staff's recommendation to purchase one new ROVVER X Inspection Crawler from Environmental Products of Georgia under State Contract #99999-001-SPD0000102-0010.

Shoal Creek Cut-Off Wall Project Summary and Change Order Request: Water Production Department Manager Kendra Staniel presented a summary of the Shoal Creek Cut-Off Wall Project along with a recommendation to approve the Schnabel Services During Construction Change Order for additional time required for site inspection.

Recommendation:

Staff recommended approval of the Schnabel Services During Construction change order of \$22,840.90 for the additional time required to provide site inspection due to the construction delay by Inquip. The liquidated damage cost was deducted from Inquip's final payment to offset the additional Services During Construction costs incurred by Schnabel.

UPON MOTION by Elizabeth G. Armstrong and second by Rodney Givens, it was unanimously

RESOLVED to approve staff's recommendation for approval of the Schnabel Services During Construction change order.

Stormwater Budget Revision for Capital Projects Request: Stormwater Program Director Kevin Osbey presented a recommendation to transfer additional monies from the Stormwater Operating Budget into the Stormwater Capital Projects Budget in order to fund additional projects that are needed.

This adjustment will increase the overall annual budget for larger capital construction projects to \$2,977,273.

Project Line	Description	Original Budget	Funding Increase	Adjusted Budget
SW-004	Stormwater - Cured In Place Piping	\$1,257,273	\$0	\$1,257,273
SW-005	Stormwater – Remove & Replace	\$1,000,000	\$720,000	\$1,720,000

UPON MOTION by Marie Barber and second by Dr. Cephus Jackson, it was unanimously

RESOLVED to approve staff’s recommendation to for a budget revision transferring additional monies from the Stormwater Operating Budget into the Stormwater Capital Projects Budget.

Marie Barber Community Room Rental Recommendations: General Manager Mike Thomas presented a recommendation to increase rental fees for use of the Marie Barber Community Room in order to cover operating costs.

Proposed Changes to Rental Conditions:

- Allow renters to have up to three reservations scheduled at one time instead of one
- Allow reservations to be made up to 90 days in advance instead of 60 days
- Increase Regular Rental Type rate from \$200 to \$300 per event
- Increase Compliance Deposit from \$75 to \$100
- Add Holiday Rental Type for \$400 per event for CCWA Holidays or major holidays that fall on a weekend, including: New Year’s Day, Martin Luther King Jr. Day, Easter Sunday, Memorial Day, Independence Day, Labor Day, Thanksgiving holiday weekend (Thursday – Sunday) and Christmas Day
- Add a \$50 fee for use of mounted projector

Proposed Room Rental Rates:

Rental Type ²	Facility Use Charge*	Compliance Deposit	Days	Times
Regular	\$300 per day	\$100 per event	Saturday – Sunday	8 a.m. – 9 p.m.
Regular	\$100 per day	\$100 per event	Monday – Friday	5 p.m. – 9 p.m.
Non-Profit¹	\$0 per day	\$100 per event	Monday – Friday	8 a.m. – 5 p.m.
Non-Profit¹	\$50 per day	\$100 per event	Monday – Friday	5 p.m. – 9 p.m.
Government¹	\$0 per day	\$0 per event	Monday – Friday	8 a.m. – 5 p.m.
Government¹	\$50 per day	\$0 per event	Monday – Friday	5 p.m. – 9 p.m.

Holiday Rentals³	\$400 per day	\$100 per event	Monday - Sunday	8 a.m. – 9 p.m.
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¹Weekend rentals for these groups will be the same price as “Regular” category

²Holiday rentals are determined when CCWA is closed for a holiday or when a major

holiday falls on a weekend, including: New Year’s Day, Martin Luther King Jr. Day, Easter Sunday, Memorial Day, Independence Day, Labor Day, Thanksgiving holiday weekend (Thursday – Sunday) and Christmas Day

³Applies to all rental types.

*Non Clayton County residents add \$100 to all facility use charges.

Staff recommended the following proposed changes to rental conditions for the Marie Barber Community Room:

- Allow renters to have up to three reservations scheduled at one time instead of one
- Allow reservations to be made up to 90 days in advance instead of 60 days
- Increase Regular Rental Type rate from \$200 to \$300 per event
- Increase Compliance Deposit from \$75 to \$100
- Add Holiday Rental Type for \$400 per event for CCWA Holidays
- Add a \$50 fee for use of mounted projector

UPON MOTION by Marie Barber and second by John Westervelt, it was unanimously RESOLVED to approve staff’s recommendation to increase rental fees in order to cover operating costs.

Credit Card Fee Recommendation: Customer Accounts Director Teresa Worley presented a recommendation for CCWA to pay the convenience fee for all customers using debit or credit cards at the two payment locations.

To allow customers to pay their bill with a debit or credit card, CCWA has contracted to a third party payment processing company called Western Union (WU) Speedpay. Western Union Speedpay allows CCWA customers to make electronic payments online and on the phone (IVR) for a convenience fee of \$1.25 per transaction (limit \$750 per transaction).

Visa guidelines stipulate that a convenience fee cannot be charged in a “card-present” environment. Due to these guidelines, CCWA does not currently allow customers to make a credit or debit card payment at the two payment locations (Battlecreek Road and Forest Parkway). CCWA could utilize a surcharge fee but VISA does not allow that for debit cards.

To create a better customer experience, staff recommended that CCWA pay the convenience fee for all customers using debit or credit cards at the two payment locations. The estimated cost is \$53,000 per year.

UPON MOTION by Dr. Cephus Jackson and second by Rodney Givens, the vote was in favor: Rodney Givens, John Westervelt, Marie Barber, Dr. Cephus Jackson. Opposed: John Chafin, Elizabeth G. Armstrong. Motion carried and it was

RESOLVED to approve staff’s recommendation for CCWA to pay the convenience fee for all customers using debit or credit cards at the two payment locations.

SLBE (Small Local Business Enterprise) Program Update and Recommendation:
General Manager Mike Thomas presented a recommendation to approve Resolution No. 2015-04 which increases limits for qualification in the SLBE (Small Local Business Enterprise) Program.

The Small Local Business Enterprise Board Committee met on November 3, 2015 to discuss the program status, program goal versus requirement, the upcoming social mixer and next steps. Discussion included continued outreach efforts to promote the program and increase awareness. Additionally the Committee reviewed the CCWA SLBE definition of limits.

The Committee recommended the following increase of the limits for qualification in our program:

	<u>Current Limits</u>	<u>Proposed Limits</u>
Construction Firms	\$5,000,000	\$18,250,000
Professional Services Firms	\$1,000,000	\$5,500,000
Architectural Firms	\$2,000,000	\$3,750,000
Engineering Firms	\$1,000,000	\$7,500,000
Goods & Services	<100 Employees	<250 employees

These recommended limits are half of the current SBA limits in the respective area.

The definition shall remain as “Small Local Business Enterprise” means small locally based business concerns whose average annual gross receipts for the previous three years must not exceed the amount as shown above or the number of employees respectfully.

This recommended change will be effective immediately.

Additionally the Committee recommended staff working with legal to modify our procurement standards to include stronger non-compliance language in reference to SLBE Good Faith Efforts and our ability to reject bids based on non-compliance of such.

Approval of Resolution No. 2015-04 made the following changes to the CCWA Law & Policy Manual:

PURCHASING POLICIES

R) As a part of these purchasing policies the Clayton County Water Authority will adhere to the following regarding contracting with Minority- and Women-owned Enterprises and Small Local Business Enterprises:

1) As used in this section, the terms used have the following definitions:

a) “Minority Business Enterprise” means a business entity which is at least fifty-one percent (51%) owned and controlled by one or more African American, Hispanic, Asian American, Native American, Pacific Islander or disabled citizens of the United States and such person or persons operate the business; and

b) “Female Business Enterprise” means a business entity which is at least fifty-one percent (51%) owned by women who are United States citizens and who also control and operate the business.

c) “Small Local Business Enterprise” means a small locally based business concern whose average annual gross receipts for the previous three years must not exceed (1) Construction Firms- ~~\$18,250,000~~~~5,000,000~~ (2) Professional Services Firms, except architectural and engineering firms - ~~\$5,500,000~~~~1,000,000~~, (3) Architectural - ~~\$3,750,000~~ (4) & Engineering - ~~\$7,500,000~~~~2,000,000~~ and (5) Goods & Services – less than ~~100~~250 employees.

(Reference minutes of March 6, 2014 Pages 4882-4888)

**STATE OF GEORGIA
COUNTY OF CLAYTON**

RESOLUTION NO. 2015-04

WHEREAS, Georgia Laws 1955, page 3334, created the Board of the Clayton County Water Authority;

WHEREAS, the Clayton County Water Authority Board of Directors (“Board”) has adopted a Clayton County Water Authority Law and Policy Manual; and

WHEREAS, the Board wishes to update the Clayton County Water Authority Law and Policy Manual.

NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED THAT:

Section 3. Fiscal Policies. That Chapter 12 is hereby amended of the Clayton County Water Authority Law and Policy Manual, which Item R) under Item 5) shall read as follows:

“Purchasing Policies”

R) As a part of these purchasing policies the Clayton County Water Authority will adhere to the following regarding contracting with Minority- and Women-owned Enterprises and Small Local Business Enterprises:

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exceed (1) Construction Firms- \$18,250,000 (2) Professional Services Firms, except architectural and engineering firms - \$5,500,000 (3) Architectural - \$3,750,000 (4) Engineering - \$7,500,000 and (5) Goods & Services – less than 250 employees.

(Reference minutes of March 6, 2014 Pages 4882-4888)

Section 2. General Authority. From and after the adoption of this Resolution, the Board and the proper members, agents and employees of the Board are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the intent of this Resolution.

Section 3. Actions Ratified, Approved, and Confirmed. All acts and doings of the members of the Board which are in conformity with the purposes and intents of this Resolution shall be, and the same hereby are, in all respects ratified, approved, and confirmed.

Section 4. Recordation. This Resolution shall be recorded in the minutes of the Board.

Section 5. Severability of Invalid Provisions. The sections, paragraphs, sentences, clauses, and phrases of this Resolution are severable, and if any phrase, sentence, paragraph, or section of this Resolution shall be declared illegal by the valid judgment or decree of any court of competent jurisdiction, such an illegality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Resolution.

Section 6. Repealing Clause. All resolutions or parts thereof of the Board in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

Section 7. Effective Date. This Resolution shall become effective upon its adoption.

SO RESOLVED this 5 day of November 2015.

Clayton County Water Authority:

John Chafin, Chairperson

Attest:

John Westervelt, Secretary/Treasurer

APPROVED AS TO FORM:

Steven M. Fincher, Attorney for
Clayton County Water Authority

UPON MOTION by Dr. Cephus Jackson and second by Elizabeth G. Armstrong, it was unanimously

RESOLVED to approve staff's recommendation to approve Resolution No. 2015-04, which increases the limits for qualification in the SLBE (Small Local Business Enterprise) Program.

Executive Session

Motion by Rodney Givens, second by Marie Barber to enter an Executive Session in order to discuss personnel matters. Vote unanimous.

Approval of Executive Session Minutes

Motion by Rodney Givens, second by John Westervelt to approve Executive Session minutes of November 5, 2015. Vote unanimous.

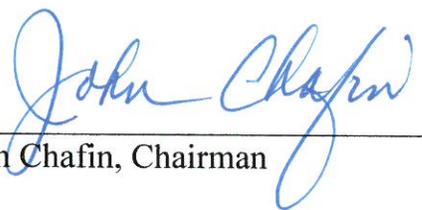
Updates from the Board Members and General Manager

Information only, no action taken.

Adjourn

UPON MOTION by Dr. Cephus Jackson and second by Rodney Givens it was unanimously

RESOLVED to adjourn the Board Meeting at 4:15 p.m., there being no further business to come before the Board of Directors.



John Chafin, Chairman



John Westervelt, Secretary/Treasurer

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Clayton County Water Authority:



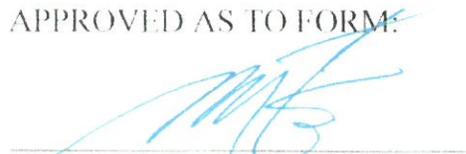
John Chafin, Chairperson

Attest:



John Westervelt, Secretary/Treasurer

APPROVED AS TO FORM:



Steven M. Fincher, Attorney for
Clayton County Water Authority